

87th Legislative Session – 2012

Committee: Senate Health and Human Services

Friday, January 13, 2012

P - Present  
E - Excused  
A - Absent

Roll Call

P Bradford  
P Holien  
E Krebs  
P Rampelberg  
P Schlekeway  
P Kraus, Vice-Chair  
P Hunhoff (Jean), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Jean Hunhoff, Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 11, 2012

Moved by: Rampelberg  
Second by: Kraus  
Action: Prevailed by voice vote.

Health Insurance Exchange Workgroup Presentation:

Matt Michels, Lieutenant Governor  
Lieutenant Governor Introduced:  
Kea Warne, Planning Grant Project Manager, Office of the Governor  
Eric Matt, Office of the Governor

GAVEL PASSED TO SENATOR ELIZABETH KRAUS, VICE CHAIR

SB 2: repeal and to make style and form revisions to certain provisions related to the Department of Human Services.

Presented by: Senator Jean Hunhoff  
Proponents: Laurie Gill, Department of Human Services

MOTION: DO PASS SB 2

Moved by: Schlekeway  
Second by: Holien  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Bradford, Holien, Rampelberg, Schlekeway, Kraus, Hunhoff (Jean)

Excused: Krebs

MOTION: PLACE SB 2 ON CONSENT CALENDAR

Moved by: Hunhoff (Jean)  
Second by: Holien  
Action: Prevailed by voice vote.

GAVEL PASSED BACK TO SENATOR JEAN HUNHOFF, CHAIR

SB 21: repeal and revise certain outdated provisions relating to the Department of Human Services.

Presented by: Laurie Gill, Department of Human Services

MOTION: AMEND SB 21

21sa

On page 3, after line 2 of the printed bill, insert:

" Section 6. That § 36-9-28 be amended to read as follows:

36-9-28. This chapter does not prohibit:

- (1) Any nursing assistance in an emergency;
- (2) The practice of nursing included in a program of study by a student enrolled in an approved program for the preparation of registered nurses or licensed practical nurses;
- (3) The practice of a legally qualified nurse from another state employed by the United States

government and performing her official duty in this state;

- (4) Gratuitous care of friends or members of the family;
- (5) Domestic administration of family remedies, or care of the sick by domestic servants, housekeepers, companions or household aides of any type, whether employed regularly or because of an emergency or illness, but who shall not in any way assume to practice nursing as defined in this chapter;
- (6) The nursing or care of the sick, with or without compensation, when done in connection with the practice of the religious tenets of any church by adherents thereof, so long as they do not engage in the practice of nursing as defined in this chapter;
- (7) The practice of nursing in this state by a nurse currently licensed in another state or territory whose employment requires her to accompany and care for a patient in South Dakota during one such employment not to exceed three months in length; provided, however, that such person shall not hold herself out to be licensed in this state;
- (8) The practice of the functions of a certified registered nurse anesthetist by a registered nurse enrolled as a student in an approved program for the preparation of certified registered nurse anesthetists;
- (9) The practice of nursing in this state by a nurse currently licensed in another state, territory or foreign country who is present in this state to lecture relative to the practice of nursing for a period of not more than five days;
- (10) The administration of medications, other than by the parenteral route, by staff of community support providers, group homes, and supervised apartments certified or approved by the ~~Department of Social Services~~ Department of Human Services, when under the supervision of a licensed registered nurse. The ~~Department of Social Services~~ Department of Human Services, in consultation with the South Dakota Board of Nursing, shall promulgate rules pursuant to chapter 1-26 for administration of medications by such staff;
- (11) The assistance with or performance of bowel and bladder care, other than the insertion or removal of suprapubic and foley catheters, by domestic servants, housekeepers, companions or household aides, at the direction of a person needing such care who resides independently outside of any hospital, nursing or health care facility or other similar institutional setting;
- (12) The administration of medications, other than by the parenteral route, by staff of community mental health centers, community mental health residential facilities, and

community support services programs certified or approved by the Department of Social Services. The administration of medications shall be under the direct or indirect supervision of a registered nurse. The Department of Social Services and the South Dakota Board of Nursing shall promulgate rules pursuant to chapter 1-26 for administration of medications by such staff;

- (13) The services performed in accordance with § 28-8A-10 by a personal attendant when acting at the direction of a person with a disability;
- (14) The practice of nursing included in a program of study by a registered nurse enrolled in an approved program for the preparation of a clinical nurse specialist."

Moved by: Schlekeway  
Second by: Kraus  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Bradford, Holien, Rampelberg, Schlekeway, Kraus, Hunhoff (Jean)

Excused: Krebs

MOTION: DO PASS SB 21 AS AMENDED

Moved by: Bradford  
Second by: Schlekeway  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Bradford, Holien, Rampelberg, Schlekeway, Kraus, Hunhoff (Jean)

Excused: Krebs

MOTION: ADJOURN

Moved by: Rampelberg  
Second by: Kraus  
Action: Prevailed by voice vote.

Cindy Louder  
Committee Secretary

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Jean M. Hunhoff, Chair